

ASSEMBLY BILL

No. 869

Introduced by Assembly Member Parra

February 20, 2003

An act to add Section 9.5 to the Food and Agricultural Code, relating to civil administrative penalties.

LEGISLATIVE COUNSEL'S DIGEST

AB 869, as introduced, Parra. Civil administrative penalties: food and agriculture violations.

Under existing law, unless a different penalty is expressly provided, a violation of any provision of the Food and Agricultural Code is a misdemeanor. Additionally, for other violations, civil penalties may be levied, as specified.

This bill would authorize the Secretary of Food and Agriculture or a county agricultural commissioner to levy a civil administrative penalty in an amount not less than \$1,000 and not to exceed \$5,000 for each violation of the Food and Agricultural Code in lieu of seeking prosecution for any violation as a misdemeanor, unless a different penalty is expressly provided.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9.5 is added to the Food and
2 Agricultural Code, to read:
3 9.5. In lieu of seeking prosecution for any violation of this
4 code as a misdemeanor, unless a different penalty is expressly

1 provided, the secretary or a county agricultural commissioner may
2 levy a civil administrative penalty in an amount not less than one
3 thousand dollars (\$1,000) and not to exceed five thousand dollars
4 (\$5,000) for each violation.

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